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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,346	01/31/2002	Takayuki Ono	040894-5760	6054

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EXAMINER

PATEL, GAUTAM

ART UNIT PAPER NUMBER

2655

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/059,346

Applicant(s)

ONO, TAKAYUKI

Examiner

Gautam R. Patel

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-4 are pending for the examination.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. § 119(a)-(d), which papers have been placed of record in the file.

NOTES & REMARKS

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. For example page 2, lines 12-13 reads "moving the track", it is assumed that the Applicants are referring to "moving the thread" and not track itself. Also page 4 line 1 has "threadbeforehand". It is assumed that space is left out.

Applicant's cooperation is requested in correcting any errors of which Applicant may become aware in the specification.

Specification

4. The disclosure is objected for following reasons.

The title of the invention is neither precise nor descriptive. A new title is required which should include, using twenty words or fewer, claimed features that differentiate the invention from the Prior Art. It is recommended that the title should reflect the gist of or the improvement of the present invention.

Correction is required.

Claim Rejections - 35 U.S.C. § 102

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5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ikeda, US. patent 5,870,2356 (hereafter Ikeda).

As to claims 1-4, Takahashi discloses the invention as claimed [see Figs. 2-6, especially 6] including a thread, a lens moving unit, a thread moving unit and a movement controller, comprising:

a thread [inherently present in a seek control] on which a pick-up head[is placed, said pick-up head serving to read data recorded on an optical disk [MO cartridge] by irradiating a track formed on a recording face of said optical disk with an optical beam focused by a lens and detecting the reflected light;

a lens moving unit [fig. 7A and 7B, unit 58] adapted to move the lens of said pick-up head relative to said thread in a radial direction of said optical disk;

a thread moving unit [fig. 8, unit 64] adapted to move said thread as well as said pick-up head in the radial direction of the optical disk [col. 11, line 40 to col. 12, line 5]; and

a movement controller [fig. 8, unit 15] adapted to control said thread moving unit to start movement of said thread while controlling said lens moving unit to perform track-on control so that the lens of said pick-up head is located on a prescribed track [col. 11, lines 16-39], and thereafter when it is detected that said lens has deviated from said prescribed track by a prescribed amount or more owing to movement of said thread, starting the movement of said lens by said lens moving unit [col. 11, line 40 to col. 12, line 67],

wherein said movement controller detects whether or not said lens and said prescribed track have displaced from each other by a prescribed amount on the basis of whether a tracking servo signal has exceeded a prescribed potential, until said lens deviates from the prescribed track by a prescribed amount or more, controlling said

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thread moving unit to apply force having a prescribed magnitude to said thread continuously and when shifted by the prescribed amount or more, controlling said thread moving unit and said lens moving unit to control the moving speed of the lens at a constant speed [col. 11, line 40 to col. 12, line 67 and col. 13, lines 2-27].

6. As to claim 2, it is rejected for same reasons set forth in the rejection of claim 1, supra.

7. As to claim 3, Ikeda discloses:

until a center of said lens deviates from the prescribed track by a prescribed amount or more, said controller controls said thread moving unit to apply force having a prescribed magnitude to said thread continuously [col. 11, line 40 to col. 12, line 67 and col. 13, lines 2-27].

8. As to claim 4, Ikeda discloses:

when the center of said lens deviates from the center of said prescribed track by a prescribed amount or more, said controller controls said thread moving unit and said lens moving unit to control the moving speed of the lens at a constant speed [col. 11, line 40 to col. 12, line 67 and col. 13, lines 2-27].

Other prior art cited

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

- a. Takahashi et al. (US. patent 6,078,454) "Head assembly .."
- b. Nakane (US. patent 5,285,432) Track jump control circuit
- c. Satoh (US. patent 5,696,646) Disk apparatus for monitoring ..
- d. Aoki (US. patent 5,956,299) Method and apparatus for reading ..
- e. Iso et al. (US. patent 5,612,933) Apparatus for reproducing ..
- f. Kawachi et al. (US. patent 6,175,465) Head positioning control system ..
- g. Hosoya et al. (US. patent 5,200,937) Apparatus & method of recording ..
- h. Nakano (US. patent 5,699,332) Control circuit ..
- i. Takegawa (US. patent 5,875,161) Method and apparatus for accessing ..
- j. Inoue et al. (US. patent 5,959,947) Apparatus and method for identifying and accessing desired track ...

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam R. Patel whose telephone number is (703) 308-7940. The examiner can normally be reached on Monday through Thursday from 7:30 to 6.

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The appropriate fax number for the organization (Group 2650) where this application or proceeding is assigned is (703) 872-9314.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To can be reached on (703) 305-4827.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-4700 or the group Customer Service section whose telephone number is (703) 306-0377.

A handwritten signature in black ink, appearing to read "Gautam R. Patel", with a long horizontal line extending from the end of the signature.

Gautam R. Patel
Primary Examiner
Group Art Unit 2655

April 5, 2004